

106TH CONGRESS
1ST SESSION

S. 1998

To establish the Yuma Crossing National Heritage Area.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 1999

Mr. MCCAIN introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

A BILL

To establish the Yuma Crossing National Heritage Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Yuma Crossing Na-
5 tional Heritage Area Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) certain events that led to the establishment
9 of the Yuma Crossing as a natural crossing place on
10 the Colorado River, and to the development of the
11 Yuma Crossing as an important landmark in the
12 westward expansion of the United States during the

1 mid-19th century, are of national historic and cul-
2 tural significance, based on the contribution of those
3 events to the development of the United States;

4 (2) it is in the interest of the United States to
5 promote, preserve, and protect, for the education
6 and benefit of present and future generations, phys-
7 ical remnants of a community that—

8 (A) possesses almost 500 years of recorded
9 history; and

10 (B) has significant cultural, historic, and
11 architectural value;

12 (3) the designation of the Yuma Crossing as a
13 national heritage area would—

14 (A) preserve the history of the Yuma
15 Crossing area;

16 (B) provide related educational opportuni-
17 ties and recreational opportunities;

18 (C) preserve natural resources;

19 (D) optimize the use of riverfront property;
20 and

21 (E) improve the ability of the Yuma region
22 to serve visitors and enhance the local economy
23 through the completion of major projects identi-
24 fied within the Yuma Crossing National Herit-
25 age Area;

1 (4) the Department of the Interior is respon-
2 sible for protecting the cultural and historic re-
3 sources of the United States;

4 (5) the quantity and quality of resources within
5 the Yuma region merit the involvement of the Fed-
6 eral Government in developing programs and
7 projects, in cooperation with the Yuma Crossing Na-
8 tional Heritage Area and other local and govern-
9 mental bodies—

10 (A) to adequately conserve, protect, and in-
11 terpret the heritage of the Yuma region for fur-
12 ther generations; and

13 (B) to provide opportunities for education,
14 revitalization, and economic development;

15 (6) the city of Yuma, the Arizona State Parks
16 Board, agencies of the Federal Government, cor-
17 porate entities, and citizens will complete a study
18 and master plan for the Yuma Crossing that meets
19 established criteria by the National Park Service—

20 (A) to determine the extent of the historic
21 resources present in the Yuma region;

22 (B) to preserve and interpret those historic
23 resources; and

1 (C) to assess the opportunities available to
2 enhance the cultural experience for visitors to
3 and residents of the Yuma region; and

4 (7) the Yuma Crossing National Heritage Area
5 Board of Directors would be an appropriate manage-
6 ment entity for a heritage area established in the
7 Yuma region.

8 (b) PURPOSES.—The purposes of this Act are—

9 (1) to recognize the role of the Yuma Crossing
10 in the development of the United States, with par-
11 ticular emphasis on the position of the crossing as
12 an important landmark in the westward expansion of
13 the United States during the mid-19th century;

14 (2) to promote, interpret, and develop the phys-
15 ical and recreational resources of the communities
16 surrounding the Yuma Crossing to preserve almost
17 500 years of recorded history and the outstanding
18 cultural, historic, and architectural assets of the re-
19 gion for the education and benefit of present and fu-
20 ture generations;

21 (3) to foster a close working relationship with
22 all levels of government, the private sector, and the
23 local communities in the Yuma region;

24 (4) to empower the community to simulta-
25 neously conserve the heritage and natural resources

1 of the Yuma region while continuing to pursue eco-
2 nomic opportunities;

3 (5) to provide recreational opportunities for
4 visitors to the Yuma Crossing;

5 (6) to optimize the use of riverfront property;
6 and

7 (7) to improve the ability of the Yuma region
8 to serve visitors and enhance the local economy
9 through the completion of major projects in the Her-
10 itage Area.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) HERITAGE AREA.—The term “Heritage
14 Area” means the Yuma Crossing National Heritage
15 Area established by section 4(a).

16 (2) MANAGEMENT ENTITY.—The term “man-
17 agement entity” means the Yuma Crossing National
18 Heritage Area Board of Directors.

19 (3) MANAGEMENT PLAN.—The term “manage-
20 ment plan” means the management plan for the
21 Heritage Area.

22 (4) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

24 (5) YUMA REGION.—The term “Yuma region”
25 means the county and city of Yuma, Arizona.

1 **SEC. 4. YUMA CROSSING NATIONAL HERITAGE AREA.**

2 (a) ESTABLISHMENT.—There is established the
3 Yuma Crossing National Heritage Area.

4 (b) BOUNDARIES.—

5 (1) IN GENERAL.—The Heritage Area shall be
6 comprised of those portions of the Yuma region to-
7 taling approximately 21 square miles, bounded—

8 (A) on the west, by the Colorado River (in-
9 cluding the crossing point of the Army of the
10 West);

11 (B) on the east, by Avenue 7E;

12 (C) on the north, by the Colorado River;

13 and

14 (D) on the south, by the 12th Street align-
15 ment.

16 (2) LAND AND RESOURCES.—The boundaries of
17 the Heritage Area described in paragraph (1)
18 encompass—

19 (A) all land, the ownership of which is not
20 in dispute, that is within the boundaries and lo-
21 cated in the State of Arizona; and

22 (B) over 150 identified historic, geologic,
23 and cultural resources.

24 (c) MANAGEMENT ENTITY.—The management entity
25 for the Heritage Area shall be the Yuma Crossing Na-
26 tional Heritage Area Board of Directors.

1 **SEC. 5. COMPACT.**

2 (a) IN GENERAL.—To carry out this Act, the Sec-
3 retary shall enter into a compact with the management
4 entity.

5 (b) COMPONENTS OF COMPACT.—The compact shall
6 include information relating to the objectives and manage-
7 ment of the Heritage Area, including—

8 (1) a discussion of the goals and objectives of
9 the Heritage Area;

10 (2) an explanation of the proposed approach to
11 conservation and interpretation of the Heritage
12 Area; and

13 (3) a general outline of the protection measures
14 to which the management entity commits.

15 (c) SUBMISSION AND APPROVAL OR DISAPPROVAL OF
16 COMPACT.—

17 (1) SUBMISSION.—The management entity shall
18 submit to the Secretary a proposed compact not
19 later than 1 year after the date of enactment of this
20 Act.

21 (2) APPROVAL OR DISAPPROVAL.—Not later
22 than 90 days after receiving the compact under
23 paragraph (1), the Secretary shall approve or dis-
24 approve the proposed compact.

25 (3) PROCEDURES ON DISAPPROVAL.—

1 (A) IN GENERAL.—If the Secretary dis-
 2 approves a proposed compact, the Secretary
 3 shall—

4 (i) advise the management entity, in
 5 writing, of the reasons for the disapproval;
 6 and

7 (ii) make recommendations for revi-
 8 sions of the proposed compact.

9 (B) APPROVAL OR DISAPPROVAL OF REVI-
 10 SIONS.—Not later than 90 days after receiving
 11 any proposed revision to a proposed compact
 12 from the management entity, the Secretary
 13 shall approve or disapprove the proposed revi-
 14 sion.

15 **SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT**
 16 **ENTITY.**

17 (a) MANAGEMENT PLAN.—

18 (1) IN GENERAL.—The management entity
 19 shall develop a management plan for the Heritage
 20 Area, taking into consideration existing State, coun-
 21 ty, and local plans.

22 (2) CONTENTS.—The management plan shall
 23 include—

1 (A) comprehensive recommendations for
2 conservation, funding, management, and devel-
3 opment of the Heritage Area;

4 (B) a description of actions to be carried
5 out by units of government and private organi-
6 zations to protect the resources of the Heritage
7 Area;

8 (C) a list of specific existing and potential
9 sources of funding to protect, manage, and de-
10 velop the Heritage Area;

11 (D) an inventory of the resources con-
12 tained in the Heritage Area, including a list of
13 any property in the Heritage Area that—

14 (i) is related to the themes of the
15 Heritage Area; and

16 (ii) should be preserved, restored,
17 managed, developed, or maintained because
18 of the natural, cultural, historical, rec-
19 reational, or scenic significance of the
20 property;

21 (E) a recommendation of policies for re-
22 source management that take into consideration
23 and describe any benefits of the application of
24 appropriate land and water management tech-
25 niques, including the development of intergov-

ernmental cooperative agreements to protect the natural, cultural, historical, recreational, and scenic resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(F) a program for implementation of the management plan by the management entity, including—

(i) plans for restoration and construction; and

(ii) specific commitments of the identified partners for the first 5 years of operation;

(G) an analysis of methods by which Federal, State, and local programs may best be coordinated to promote the purposes of this Act; and

(H) an interpretation plan for the Heritage Area.

(3) SUBMISSION TO SECRETARY.—The management entity shall submit the management plan to the Secretary for approval not later than 3 years after the date of enactment of this Act.

(4) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—

1 (A) IN GENERAL.—Not later than 90 days
2 after receiving a management plan under para-
3 graph (3), the Secretary, in consultation with
4 the management entity, shall approve or dis-
5 approve the management plan.

6 (B) PROCEDURES ON DISAPPROVAL.—

7 (i) IN GENERAL.—If the Secretary
8 disapproves the management plan, the Sec-
9 retary shall—

10 (I) advise the management enti-
11 ty, in writing, of the reasons for the
12 disapproval; and

13 (II) make recommendations for
14 revisions of the management plan.

15 (ii) APPROVAL OR DISAPPROVAL OF
16 REVISIONS.—Not later than 90 days after
17 receiving any proposed revision to the
18 management plan from the management
19 entity, the Secretary shall approve or dis-
20 approve the proposed revision.

21 (5) AMENDMENTS TO MANAGEMENT PLAN.—

22 Any substantial amendment to the management
23 plan—

24 (A) shall be reviewed by the Secretary; and

1 (B) shall not be implemented by the ex-
2 penditure of funds made available under this
3 Act until such time as the Secretary approves
4 the amendment.

5 (b) DUTIES OF MANAGEMENT ENTITY.—In addition
6 to the responsibilities described in subsection (a), the man-
7 agement entity shall—

8 (1) give priority to implementing actions set
9 forth in the compact under section 5 and the man-
10 agement plan, including actions to assist units of
11 government, regional planning organizations, and
12 nonprofit organizations in preserving the Heritage
13 Area;

14 (2) assist units of government, regional plan-
15 ning organizations, and nonprofit organizations in—

16 (A) establishing and maintaining interpre-
17 tive exhibits in the Heritage Area;

18 (B) developing recreational resources in
19 the Heritage Area;

20 (C) increasing public awareness of and ap-
21 preciation for the natural, cultural, historical,
22 recreational, and scenic resources and sites in
23 the Heritage Area;

24 (D) restoring any historic building relating
25 to the themes of the Heritage Area and

1 (E) ensuring that clear, consistent, and en-
2 vironmentally appropriate signs identifying ac-
3 cess points and sites of interest are installed
4 throughout the Heritage Area;

5 (3) encourage, by appropriate means, economic
6 viability in the Heritage Area consistent with the
7 goals of the management plan;

8 (4) encourage local governments to adopt poli-
9 cies consistent with the management of the Heritage
10 Area and the goals of the management plan;

11 (5) consider the interests of diverse govern-
12 mental, business, and nonprofit groups within the
13 Heritage Area;

14 (6) conduct public meetings at least quarterly
15 regarding the implementation of the management
16 plan; and

17 (7) for any year in which Federal funds are re-
18 ceived under this Act—

19 (A) to make available for audit all records
20 pertaining to the expenditure of the funds and
21 any matching funds; and

22 (B) require, for all agreements authorizing
23 the expenditure of Federal funds by other orga-
24 nizations, that the receiving organizations make

1 available for audit all records pertaining to the
2 expenditure of the funds.

3 (c) USE OF FUNDS.—The management entity may,
4 for the purposes of preparing and implementing the man-
5 agement plan, use funds made available under this Act—
6 (1) to make grants to, and enter into coopera-
7 tive agreements with, States (including political sub-
8 divisions), private organizations, or any person;
9 (2) to hire and compensate staff; and
10 (3) to enter into contracts for goods and serv-
11 ices.

12 (d) PROHIBITION ON THE ACQUISITION OF REAL
13 PROPERTY.—The management entity shall not use Fed-
14 eral funds received under this Act to acquire real property
15 or any interest in real property.

16 (e) FEDERAL FUNDS FROM OTHER SOURCES.—
17 Nothing in this Act prohibits the management entity from
18 using Federal funds from other sources for permitted pur-
19 poses.

20 (f) SPENDING FOR NON-FEDERALLY OWNED PROP-
21 erty.—The management entity may use Federal funds
22 received under this Act to carry out activities on property
23 that is not owned by the Federal Government to further
24 the purposes of this Act, especially to assist units of gov-
25 ernment in the appropriate treatment of districts, sites,

1 buildings, structures, and objects that are listed or eligible
2 for listing on the National Register of Historic Places.

3 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

4 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—The
5 Secretary may, on request of the management entity, pro-
6 vide technical and financial assistance to the management
7 entity to develop and implement the management plan, in-
8 cluding assistance in actions to—

9 (1) conserve the significant natural, cultural,
10 historical, recreational, and scenic resources that
11 support the themes of the Heritage Area; and

12 (2) provide educational, interpretive, and rec-
13 reational opportunities consistent with the resources
14 and associated values of the Heritage Area.

15 (b) DOCUMENTATION.—The Historic American
16 Building Survey/Historic American Engineering Record
17 shall conduct any study necessary to document the nat-
18 ural, cultural, historical, recreational, and scenic resources
19 of the Heritage Area.

20 **SEC. 8. TERMINATION OF AUTHORITY.**

21 The authority of the Secretary to make a grant or
22 provide assistance under this Act terminates on September
23 30, 2015.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There is authorized to be appro-
3 priated to carry out this Act not more than \$1,000,000
4 for any fiscal year, of which not more than a total of
5 \$10,000,000 may be used for the Heritage Area.

6 (b) FEDERAL SHARE.—Federal funds provided under
7 this Act after the date of enactment of this Act shall not
8 exceed 50 percent of the total cost of any assistance or
9 grant provided or authorized under this Act.

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